

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SETTE *et al.*

Appl. No.: 09/350,401

Filed: July 8, 1999

For: **Inducing Cellular Immune
Responses to Hepatitis B Virus
Using Peptide Compositions
(as amended)**

Confirmation No.: 8008

Art Unit: 1644

Examiner: Schwadron, Ronald B.

Atty. Docket: 2473.0060008/PAJ/PAC

**Seventh Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on the accompanying IDS Forms PTO/SB/08A and PTO/SB/08B are documents that may be considered material to the patentability of this application as defined in 37 C.F.R. § 1.56, and in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.97 and 1.98. The numbering on this Seventh Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Sixth Supplemental Information Disclosure Statement filed on March 21, 2006, in connection with the above-captioned application.

Copies of documents **NPL9-NPL12** are submitted.

Copies of the U.S. patents and patent publication documents listed on the attached Form PTO/SB/08A, documents **US1-US4**, are not submitted, in accordance with 37 C.F.R. § 1.98(a)(2).

Copies of documents **NPL13** and **NPL14** are not provided in accordance with the U.S. Patent and Trademark Office OG notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification,

including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is *sua sponte* waived where the cited pending application is stored in the USPTO's IFW system."

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

Application No. 11/976,998, inventors SETTE, A., *et al.*, filed October 30, 2007; listed as document **NPL13** on the attached Form PTO/SB/08B;

Application No. 12/535,966, inventors SETTE, A., *et al.*, filed August 5, 2009; listed as document **NPL14** on the attached Form PTO/SB/08B;

Application No. 10/817,970 (cited as document AR210 on the Fifth Supplemental Information Disclosure Statement filed on June 9, 2005), inventors GREY, H.M., *et al.*, filed September 4, 2003; now published as U.S. Patent Application Publication No. 2007/0055049 A1; listed as document **US4** on the attached Form PTO/SB/08A; and

Application No. 10/654,601 (cited as document AS210 on the Fifth Supplemental Information Disclosure Statement filed on June 9, 2005), inventors SETTE, A., *et al.*, filed September 4, 2003; published as U.S. Patent Application Publication No. 2005/0063983 (cited as document AI201 on the Fifth Supplemental Information Disclosure Statement); now **allowed**.

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the listed applications and the art cited therein during examination.

Documents NPL10 and NPL12 are being submitted in response to the Examiner's comments on the Information Disclosure Statement forms attached to the Final Office Action dated July 26, 2007 and the Office Action dated July 12, 2005.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

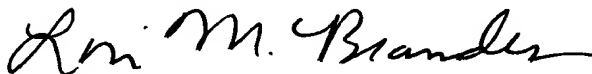
This Seventh Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. No statement or fee is required. 37 C.F.R. § 1.97(b)(4).

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

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Date: 10/12/2009

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